

104TH CONGRESS
1ST SESSION

H. R. 1905

IN THE SENATE OF THE UNITED STATES

JULY 13 (legislative day, JULY 10), 1995

Received; read twice and referred to the Committee on Appropriations

AN ACT

Making appropriations for energy and water development
for the fiscal year ending September 30, 1996, and for
other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the

1 fiscal year ending September 30, 1996, for energy and
2 water development, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF DEFENSE—CIVIL

5 DEPARTMENT OF THE ARMY

6 CORPS OF ENGINEERS—CIVIL

7 The following appropriations shall be expended under
8 the direction of the Secretary of the Army and the super-
9 vision of the Chief of Engineers for authorized civil func-
10 tions of the Department of the Army pertaining to rivers
11 and harbors, flood control, beach erosion, and related pur-
12 poses.

13 GENERAL INVESTIGATIONS

14 For expenses necessary for the collection and study
15 of basic information pertaining to river and harbor, flood
16 control, shore protection, and related projects, restudy of
17 authorized projects, miscellaneous investigations, and,
18 when authorized by laws, surveys and detailed studies and
19 plans and specifications of projects prior to construction,
20 \$129,906,000, to remain available until expended, of
21 which funds are provided for the following projects in the
22 amounts specified:

23 Norco Bluffs, California, \$375,000;

24 Indianapolis Central Waterfront, Indiana,

25 \$2,000,000;

26 Ohio River Greenway, Indiana, \$1,000,000; and

1 Mussers Dam, Middle Creek, Snyder County,
2 Pennsylvania, \$300,000.

3 CONSTRUCTION, GENERAL

4 For the prosecution of river and harbor, flood control,
5 shore protection, and related projects authorized by laws;
6 and detailed studies, and plans and specifications, of
7 projects (including those for development with participa-
8 tion or under consideration for participation by States,
9 local governments, or private groups) authorized or made
10 eligible for selection by law (but such studies shall not con-
11 stitute a commitment of the Government to construction),
12 \$807,846,000, to remain available until expended, of
13 which such sums as are necessary pursuant to Public Law
14 99-662 shall be derived from the Inland Waterways Trust
15 Fund, for one-half of the costs of construction and reha-
16 bilitation of inland waterways projects, including rehabili-
17 tation costs for the Lock and Dam 25, Mississippi River,
18 Illinois and Missouri, Lock and Dam 14, Mississippi
19 River, Iowa, Lock and Dam 24, Mississippi River, Illinois
20 and Missouri, and GIWW-Brazos River Floodgates,
21 Texas, projects, and of which funds are provided for the
22 following projects in the amounts specified:

23 Red River Emergency Bank Protection, Arkan-
24 sas and Louisiana, \$6,600,000;

1 Sacramento River Flood Control Project
2 (Glenn-Colusa Irrigation District), California,
3 \$300,000;

4 San Timoteo Creek (Santa Ana River
5 Mainstem), California, \$5,000,000;

6 Indiana Shoreline Erosion, Indiana,
7 \$1,500,000;

8 Harlan (Levisa and Tug Forks of the Big
9 Sandy River and Upper Cumberland River), Ken-
10 tucky, \$12,000,000;

11 Williamsburg (Levisa and Tug Forks of the Big
12 Sandy River and Upper Cumberland River), Ken-
13 tucky, \$4,100,000;

14 Middlesboro (Levisa and Tug Forks of the Big
15 Sandy River and Upper Cumberland River), Ken-
16 tucky, \$1,600,000;

17 Salyersville, Kentucky, \$500,000;

18 Lake Pontchartrain and Vicinity (Hurricane
19 Protection), Louisiana, \$11,848,000;

20 Red River below Denison Dam Levee and Bank
21 Stabilization, Louisiana, Arkansas, and Texas,
22 \$3,800,000;

23 Broad Top Region, Pennsylvania, \$4,100,000;

24 Glen Foerd, Pennsylvania, \$200,000; and

25 Wallisville Lake, Texas, \$5,000,000.

1 FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBU-
2 TARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISI-
3 ANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

4 For expenses necessary for prosecuting work of flood
5 control, and rescue work, repair, restoration, or mainte-
6 nance of flood control projects threatened or destroyed by
7 flood, as authorized by law (33 U.S.C. 702a, 702g-1),
8 \$307,885,000, to remain available until expended.

9 OPERATION AND MAINTENANCE, GENERAL

10 For expenses necessary for the preservation, oper-
11 ation, maintenance, and care of existing river and harbor,
12 flood control, and related works, including such sums as
13 may be necessary for the maintenance of harbor channels
14 provided by a State, municipality or other public agency,
15 outside of harbor lines, and serving essential needs of gen-
16 eral commerce and navigation; surveys and charting of
17 northern and northwestern lakes and connecting waters;
18 clearing and straightening channels; and removal of ob-
19 structions to navigation, \$1,712,123,000, to remain avail-
20 able until expended, of which such sums as become avail-
21 able in the Harbor Maintenance Trust Fund, pursuant to
22 Public Law 99-662, may be derived from that fund, and
23 of which such sums as become available from the special
24 account established by the Land and Water Conservation
25 Act of 1965, as amended (16 U.S.C. 460l), may be derived
26 from that fund for construction, operation, and mainte-

1 nance of outdoor recreation facilities: *Provided*, That not
2 to exceed \$5,000,000 shall be available for obligation for
3 national emergency preparedness programs: *Provided fur-*
4 *ther*, That \$5,926,000 of the funds appropriated herein
5 are provided for the Raystown Lake, Pennsylvania,
6 project.

7 REGULATORY PROGRAM

8 For expenses necessary for administration of laws
9 pertaining to regulation of navigable waters and wetlands,
10 \$101,000,000, to remain available until expended.

11 FLOOD CONTROL AND COASTAL EMERGENCIES

12 For expenses necessary for emergency flood control,
13 hurricane, and shore protection activities, as authorized
14 by section 5 of the Flood Control Act approved August
15 18, 1941, as amended, \$10,000,000, to remain available
16 until expended.

17 OIL SPILL RESEARCH

18 For expenses necessary to carry out the purposes of
19 the Oil Spill Liability Trust Fund, pursuant to Title VII
20 of the Oil Pollution Act of 1990, \$850,000, to be derived
21 from the Fund and to remain available until expended.

22 GENERAL EXPENSES

23 For expenses necessary for general administration
24 and related functions in the Office of the Chief of Engi-
25 neers and offices of the Division Engineers; activities of
26 the Coastal Engineering Research Board, the Humphreys

1 Engineer Center Support Activity, the Engineering Stra-
2 tegic Studies Center, and the Water Resources Support
3 Center, \$150,000,000: *Provided*, That not to exceed
4 \$60,000,000 of the funds provided in this Act shall be
5 available for general administration and related functions
6 in the Office of the Chief of Engineers: *Provided further*,
7 That no part of any other appropriation provided in title
8 I of this Act shall be available to fund the activities of
9 the Office of the Chief of Engineers or the executive direc-
10 tion and management activities of the Division Offices:
11 *Provided further*, That with funds provided herein and not-
12 withstanding any other provision of law, the Secretary of
13 the Army shall develop and submit to the Congress within
14 60 days of enactment of this Act, a plan which reduces
15 the number of division offices within the United States
16 Army Corps of Engineers to no less than 6 and no more
17 than 8, with each division responsible for at least 4 district
18 offices, but does not close or change the function of any
19 district office: *Provided further*, That notwithstanding any
20 other provision of law, the Secretary of the Army is di-
21 rected to begin implementing the division office plan on
22 August 15, 1996, and such plan shall be implemented
23 prior to October 1, 1997.

24 ADMINISTRATIVE PROVISIONS

25 Appropriations in this title shall be available for offi-
26 cial reception and representation expenses (not to exceed

1 \$5,000); and during the current fiscal year the revolving
2 fund, Corps of Engineers, shall be available for purchase
3 (not to exceed 100 for replacement only) and hire of pas-
4 senger motor vehicles.

5 GENERAL PROVISION

6 CORPS OF ENGINEERS—CIVIL

7 SEC. 101. (a) In fiscal year 1996, the Secretary of
8 the Army shall advertise for competitive bid at least
9 7,500,000 cubic yards of the hopper dredge volume accom-
10 plished with government-owned dredges in fiscal year
11 1992.

12 (b) Notwithstanding the provisions of this section, the
13 Secretary is authorized to use the dredge fleet of the Corps
14 of Engineers to undertake projects when industry does not
15 perform as required by the contract specifications or when
16 the bids are more than 25 percent in excess of what the
17 Secretary determines to be a fair and reasonable estimated
18 cost of a well equipped contractor doing the work or to
19 respond to emergency requirements.

20 (c) None of the funds appropriated herein or other-
21 wise made available to the Army Corps of Engineers, in-
22 cluding amounts contained in the Revolving Fund of the
23 Army Corps of Engineers, may be used to study, design
24 or undertake improvement or major repair of the Federal
25 vessel, McFARLAND.

1 SEC. 102. (a) SAND AND STONE CAP IN NAVIGATION
2 PROJECT AT MANISTIQUE HARBOR, MICHIGAN.—The
3 project for navigation, Manistique Harbor, Schoolcraft
4 County, Michigan, authorized by the first section of the
5 Act entitled “An Act making appropriations for the con-
6 struction, repair, and preservation of certain public works
7 on rivers and harbors, and for other purposes”, approved
8 March 3, 1905 (33 Stat. 1136), is modified to permit in-
9 stallation of a sand and stone cap over sediments affected
10 by polychlorinated biphenyls in accordance with an admin-
11 istrative order of the Environmental Protection Agency.

12 (b) PROJECT DEPTH.—

13 (1) IN GENERAL.—Except as provided in para-
14 graph (2), the project described in subsection (a) is
15 modified to provide for an authorized depth of 18
16 feet.

17 (2) EXCEPTION.—The authorized depth shall be
18 12.5 feet in the areas where the sand and stone cap
19 described in subsection (a) will be placed within the
20 following coordinates: 4220N–2800E to 4220N–
21 3110E to 3980N–3260E to 3190N–3040E to
22 2960N–2560E to 3150N–2300E to 3680N–2510E
23 to 3820N–2690E and back to 4220N–2800E.

24 (c) HARBOR OF REFUGE.—The project described in
25 subsection (a), including the breakwalls, pier, and author-

1 ized depth of the project (as modified by subsection (b)),
2 shall continue to be maintained as a harbor of refuge.

3 TITLE II

4 DEPARTMENT OF THE INTERIOR

5 CENTRAL UTAH PROJECT

6 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

7 For the purpose of carrying out provisions of the
8 Central Utah Project Completion Act, Public Law 102–
9 575 (106 Stat. 4605), and for feasibility studies of alter-
10 natives to the Uintah and Upalco Units, \$42,893,000, to
11 remain available until expended, of which \$23,503,000
12 shall be deposited into the Utah Reclamation Mitigation
13 and Conservation Account: *Provided*, That of the amounts
14 deposited into the Account, \$5,000,000 shall be considered
15 the Federal Contribution authorized by paragraph
16 402(b)(2) of the Act and \$18,503,000 shall be available
17 to the Utah Reclamation Mitigation and Conservation
18 Commission to carry out activities authorized under the
19 Act.

20 In addition, for necessary expenses incurred in carry-
21 ing out responsibilities of the Secretary of the Interior
22 under the Act, \$1,246,000, to remain available until ex-
23 pended.

1 BUREAU OF RECLAMATION

2 For carrying out the functions of the Bureau of Rec-
3 lamation as provided in the Federal reclamation laws (Act
4 of June 17, 1902, 32 Stat. 388, and Acts amendatory
5 thereof or supplementary thereto) and other Acts applica-
6 ble to that Bureau as follows:

7 GENERAL INVESTIGATIONS

8 For engineering and economic investigations of pro-
9 posed Federal reclamation projects and studies of water
10 conservation and development plans and activities prelimi-
11 nary to the reconstruction, rehabilitation and betterment,
12 financial adjustment, or extension of existing projects, to
13 remain available until expended, \$13,114,000: *Provided*,
14 That, of the total appropriated, the amount for program
15 activities which can be financed by the reclamation fund
16 shall be derived from that fund: *Provided further*, That
17 funds contributed by non-Federal entities for purposes
18 similar to this appropriation shall be available for expendi-
19 ture for the purposes for which contributed as though spe-
20 cifically appropriated for said purposes, and such amounts
21 shall remain available until expended.

22 CONSTRUCTION PROGRAM

23 (INCLUDING TRANSFER OF FUNDS)

24 For construction and rehabilitation of projects and
25 parts thereof (including power transmission facilities for
26 Bureau of Reclamation use) and for other related activi-

1 ties as authorized by law, to remain available until ex-
2 pended, \$417,301,000, of which \$27,049,000 shall be
3 available for transfer to the Upper Colorado River Basin
4 Fund authorized by section 5 of the Act of April 11, 1956
5 (43 U.S.C. 620d), and \$94,225,000 shall be available for
6 transfer to the Lower Colorado River Basin Development
7 Fund authorized by section 403 of the Act of September
8 30, 1968 (43 U.S.C. 1543), and such amounts as may
9 be necessary shall be considered as though advanced to
10 the Colorado River Dam Fund for the Boulder Canyon
11 Project as authorized by the Act of December 21, 1928,
12 as amended: *Provided*, That of the total appropriated, the
13 amount for program activities which can be financed by
14 the reclamation fund shall be derived from that fund: *Pro-*
15 *vided further*, That transfers to the Upper Colorado River
16 Basin Fund and Lower Colorado River Basin Develop-
17 ment Fund may be increased or decreased by transfers
18 within the overall appropriation under this heading: *Pro-*
19 *vided further*, That funds contributed by non-Federal enti-
20 ties for purposes similar to this appropriation shall be
21 available for expenditure for the purposes for which con-
22 tributed as though specifically appropriated for said pur-
23 poses, and such funds shall remain available until ex-
24 pended: *Provided further*, That all costs of the safety of
25 dams modification work at Coolidge Dam, San Carlos Irri-

1 gation Project, Arizona, performed under the authority of
2 the Reclamation Safety of Dams Act of 1978 (43 U.S.C.
3 506), as amended, are in addition to the amount author-
4 ized in section 5 of said Act.

5 OPERATION AND MAINTENANCE

6 For operation and maintenance of reclamation
7 projects or parts thereof and other facilities, as authorized
8 by law; and for a soil and moisture conservation program
9 on lands under the jurisdiction of the Bureau of Reclama-
10 tion, pursuant to law, to remain available until expended,
11 \$278,759,000: *Provided*, That of the total appropriated,
12 the amount for program activities which can be financed
13 by the reclamation fund shall be derived from that fund,
14 and the amount for program activities which can be de-
15 rived from the special fee account established pursuant to
16 the Act of December 22, 1987 (16 U.S.C. 460l-6a, as
17 amended), may be derived from that fund: *Provided fur-*
18 *ther*, That funds advanced by water users for operation
19 and maintenance of reclamation projects or parts thereof
20 shall be deposited to the credit of this appropriation and
21 may be expended for the same purpose and in the same
22 manner as sums appropriated herein may be expended,
23 and such advances shall remain available until expended:
24 *Provided further*, That revenues in the Upper Colorado
25 River Basin Fund shall be available for performing exam-

1 ination of existing structures on participating projects of
2 the Colorado River Storage Project.

3 BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

4 For the cost of direct loans and/or grants,
5 \$11,243,000, to remain available until expended, as au-
6 thorized by the Small Reclamation Projects Act of August
7 6, 1956, as amended (43 U.S.C. 422a-422l): *Provided*,
8 That such costs, including the cost of modifying such
9 loans, shall be as defined in section 502 of the Congres-
10 sional Budget Act of 1974: *Provided further*, That these
11 funds are available to subsidize gross obligations for the
12 principal amount of direct loans not to exceed
13 \$37,000,000.

14 In addition, for administrative expenses necessary to
15 carry out the program for direct loans and/or grants,
16 \$425,000: *Provided*, That of the total sums appropriated,
17 the amount of program activities which can be financed
18 by the reclamation fund shall be derived from the fund.

19 CENTRAL VALLEY PROJECT RESTORATION FUND

20 For carrying out the programs, projects, plans, and
21 habitat restoration, improvement, and acquisition provi-
22 sions of the Central Valley Project Improvement Act, to
23 remain available until expended, such sums as may be col-
24 lected in the Central Valley Project Restoration Fund pur-
25 suant to sections 3407(d), 3404(c)(3), 3405(f) and
26 3406(c)(1) of Public Law 102-575: *Provided*, That the

1 Bureau of Reclamation is directed to levy additional miti-
2 gation and restoration payments totaling \$30,000,000
3 (October 1992 price levels) on a three-year rolling average
4 basis, as authorized by section 3407(d) of Public Law
5 102-575.

6 GENERAL ADMINISTRATIVE EXPENSES

7 For necessary expenses of general administration and
8 related functions in the office of the Commissioner, the
9 Denver office, and offices in the five regions of the Bureau
10 of Reclamation, \$48,150,000, of which \$1,400,000 shall
11 remain available until expended, the total amount to be
12 derived from the reclamation fund and to be
13 nonreimbursable pursuant to the Act of April 19, 1945
14 (43 U.S.C. 377): *Provided*, That no part of any other ap-
15 propriation in this Act shall be available for activities or
16 functions budgeted for the current fiscal year as general
17 administrative expenses.

18 SPECIAL FUNDS

19 (TRANSFER OF FUNDS)

20 Sums herein referred to as being derived from the
21 reclamation fund or special fee account are appropriated
22 from the special funds in the Treasury created by the Act
23 of June 17, 1902 (43 U.S.C. 391) or the Act of December
24 22, 1987 (16 U.S.C. 460l-6a, as amended), respectively.
25 Such sums shall be transferred, upon request of the Sec-
26 retary, to be merged with and expended under the heads

1 herein specified; and the unexpended balances of sums
2 transferred for expenditure under the head “General Ad-
3 ministrative Expenses” shall revert and be credited to the
4 reclamation fund.

5 ADMINISTRATIVE PROVISION

6 Appropriations for the Bureau of Reclamation shall
7 be available for purchase of not to exceed 9 passenger
8 motor vehicles for replacement only.

9 TITLE III

10 DEPARTMENT OF ENERGY

11 ENERGY SUPPLY, RESEARCH AND DEVELOPMENT

12 ACTIVITIES

13 For expenses of the Department of Energy activities
14 including the purchase, construction and acquisition of
15 plant and capital equipment and other expenses incidental
16 thereto necessary for energy supply, research and develop-
17 ment activities, and other activities in carrying out the
18 purposes of the Department of Energy Organization Act
19 (42 U.S.C. 7101, et seq.), including the acquisition or con-
20 demnation of any real property or any facility or for plant
21 or facility acquisition, construction, or expansion; pur-
22 chase of passenger motor vehicles (not to exceed 25, of
23 which 19 are for replacement only), \$2,576,700,000 (less
24 \$1,000,000), to remain available until expended: *Provided,*
25 That, of such amount, \$44,772,000 shall be available to

1 implement the provisions of section 1211 of the Energy
2 Policy Act of 1992 (42 U.S.C. 13316).

3 URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

4 For expenses of the Department of Energy in connec-
5 tion with operating expenses; the purchase, construction,
6 and acquisition of plant and capital equipment and other
7 expenses incidental thereto necessary for uranium supply
8 and enrichment activities in carrying out the purposes of
9 the Department of Energy Organization Act (42 U.S.C.
10 7101, et seq.) and the Energy Policy Act (Public Law
11 102-486, section 901), including the acquisition or con-
12 demnation of any real property or any facility or for plant
13 or facility acquisition, construction, or expansion; pur-
14 chase of electricity as necessary; \$64,197,000, to remain
15 available until expended: *Provided*, That revenues received
16 by the Department for uranium programs and estimated
17 to total \$34,903,000 in fiscal year 1996 shall be retained
18 and used for the specific purpose of offsetting costs in-
19 curred by the Department for such activities notwith-
20 standing the provisions of 31 U.S.C. 3302(b) and 42
21 U.S.C. 2296(b)(2): *Provided further*, That the sum herein
22 appropriated shall be reduced as revenues are received
23 during fiscal year 1996 so as to result in a final fiscal
24 year 1996 appropriation estimated at not more than
25 \$29,294,000.

1 URANIUM ENRICHMENT DECONTAMINATION AND
2 DECOMMISSIONING FUND

3 For necessary expenses in carrying out uranium en-
4 richment facility decontamination and decommissioning,
5 remedial actions and other activities of title II of the
6 Atomic Energy Act of 1954 and title X, subtitle A of the
7 Energy Policy Act of 1992, \$278,807,000, to be derived
8 from the fund, to remain available until expended: *Pro-*
9 *vided*, That at least \$42,000,000 of amounts derived from
10 the fund for such expenses shall be expended in accord-
11 ance with title X, subtitle A, of the Energy Policy Act
12 of 1992.

13 GENERAL SCIENCE AND RESEARCH ACTIVITIES

14 For expenses of the Department of Energy activities
15 including the purchase, construction and acquisition of
16 plant and capital equipment and other expenses incidental
17 thereto necessary for general science and research activi-
18 ties in carrying out the purposes of the Department of
19 Energy Organization Act (42 U.S.C. 7101, et seq.), in-
20 cluding the acquisition or condemnation of any real prop-
21 erty or facility or for plant or facility acquisition, construc-
22 tion, or expansion; purchase of passenger motor vehicles
23 (not to exceed 12 for replacement only), \$991,000,000,
24 to remain available until expended.

1 NUCLEAR WASTE DISPOSAL FUND

2 For nuclear waste disposal activities to carry out the
3 purposes of Public Law 97-425, as amended, including
4 the acquisition of real property or facility construction or
5 expansion, \$226,600,000, to remain available until ex-
6 pended, to be derived from the Nuclear Waste Fund.

7 ATOMIC ENERGY DEFENSE ACTIVITIES

8 WEAPONS ACTIVITIES

9 For Department of Energy expenses, including the
10 purchase, construction and acquisition of plant and capital
11 equipment and other incidental expenses necessary for
12 atomic energy defense weapons activities in carrying out
13 the purposes of the Department of Energy Organization
14 Act (42 U.S.C. 7101, et seq.), including the acquisition
15 or condemnation of any real property or any facility or
16 for plant or facility acquisition, construction, or expansion;
17 and the purchase of passenger motor vehicles (not to ex-
18 ceed 79, of which 76 are for replacement only, including
19 one police-type vehicle), \$3,273,014,000, to remain avail-
20 able until expended.

21 DEFENSE ENVIRONMENTAL RESTORATION AND WASTE

22 MANAGEMENT

23 For Department of Energy expenses, including the
24 purchase, construction and acquisition of plant and capital
25 equipment and other incidental expenses necessary for
26 atomic energy defense environmental restoration and

1 waste management activities in carrying out the purposes
2 of the Department of Energy Organization Act (42 U.S.C.
3 7101, et seq.), including the acquisition or condemnation
4 of any real property or any facility or for plant or facility
5 acquisition, construction, or expansion; and the purchase
6 of passenger motor vehicles (not to exceed 7 for replace-
7 ment only), \$5,265,478,000, to remain available until ex-
8 pended.

9 OTHER DEFENSE ACTIVITIES

10 For Department of Energy expenses, including the
11 purchase, construction and acquisition of plant and capital
12 equipment and other incidental expenses necessary for
13 atomic energy defense, other defense activities in carrying
14 out the purposes of the Department of Energy Organiza-
15 tion Act (42 U.S.C. 7101, et seq.), including the acquisi-
16 tion or condemnation of any real property or any facility
17 or for plant or facility acquisition, construction, or expan-
18 sion \$1,323,841,000, to remain available until expended.

19 DEFENSE NUCLEAR WASTE DISPOSAL

20 For nuclear waste disposal activities to carry out the
21 purposes of Public Law 97-425, as amended, including
22 the acquisition of real property or facility construction or
23 expansion, \$198,400,000, to remain available until ex-
24 pended.

1 DEPARTMENTAL ADMINISTRATION

2 For salaries and expenses of the Department of En-
3 ergy necessary for Departmental Administration and other
4 activities in carrying out the purposes of the Department
5 of Energy Organization Act (42 U.S.C. 7101, et seq.), in-
6 cluding the hire of passenger motor vehicles and official
7 reception and representation expenses (not to exceed
8 \$35,000), \$362,250,000, to remain available until ex-
9 pended, plus such additional amounts as necessary to
10 cover increases in the estimated amount of cost of work
11 for others notwithstanding the provisions of the Anti-Defi-
12 ciency Act (31 U.S.C. 1511, et seq.): *Provided*, That such
13 increases in cost of work are offset by revenue increases
14 of the same or greater amount, to remain available until
15 expended: *Provided further*, That moneys received by the
16 Department for miscellaneous revenues estimated to total
17 \$122,306,000 in fiscal year 1996 may be retained and
18 used for operating expenses within this account, and may
19 remain available until expended, as authorized by section
20 201 of Public Law 95-238, notwithstanding the provisions
21 of section 3302 of title 31, United States Code: *Provided*
22 *further*, That the sum herein appropriated shall be reduced
23 by the amount of miscellaneous revenues received during
24 fiscal year 1996 so as to result in a final fiscal year 1996
25 appropriation estimated at not more than \$239,944,000.

1 OFFICE OF THE INSPECTOR GENERAL

2 For necessary expenses of the Office of the Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended, \$26,000,000, to remain
5 available until expended.

6 POWER MARKETING ADMINISTRATIONS

7 OPERATION AND MAINTENANCE, ALASKA POWER

8 ADMINISTRATION

9 For necessary expenses of operation and maintenance
10 of projects in Alaska and of marketing electric power and
11 energy, \$4,260,000, to remain available until expended.

12 BONNEVILLE POWER ADMINISTRATION FUND

13 Expenditures from the Bonneville Power Administra-
14 tion Fund, established pursuant to Public Law 93-454,
15 are approved for official reception and representation ex-
16 penses in an amount not to exceed \$3,000.

17 During fiscal year 1996, no new direct loan obliga-
18 tions may be made.

19 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER

20 ADMINISTRATION

21 For necessary expenses of operation and maintenance
22 of power transmission facilities and of marketing electric
23 power and energy pursuant to the provisions of section
24 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as

1 applied to the southeastern power area, \$19,843,000, to
2 remain available until expended.

3 OPERATION AND MAINTENANCE, SOUTHWESTERN
4 POWER ADMINISTRATION

5 For necessary expenses of operation and maintenance
6 of power transmission facilities and of marketing electric
7 power and energy, and for construction and acquisition of
8 transmission lines, substations and appurtenant facilities,
9 and for administrative expenses, including official recep-
10 tion and representation expenses in an amount not to ex-
11 ceed \$1,500 connected therewith, in carrying out the pro-
12 visions of section 5 of the Flood Control Act of 1944 (16
13 U.S.C. 825s), as applied to the southwestern power area,
14 \$29,778,000, to remain available until expended; in addi-
15 tion, notwithstanding the provisions of 31 U.S.C. 3302,
16 not to exceed \$4,272,000 in reimbursements, to remain
17 available until expended.

18 CONSTRUCTION, REHABILITATION, OPERATION AND
19 MAINTENANCE, WESTERN AREA POWER ADMINIS-
20 TRATION

21 (INCLUDING TRANSFER OF FUNDS)

22 For carrying out the functions authorized by title III,
23 section 302(a)(1)(E) of the Act of August 4, 1977 (42
24 U.S.C. 7101, et seq.), and other related activities includ-
25 ing conservation and renewable resources programs as au-

1 thorized, including official reception and representation
2 expenses in an amount not to exceed \$1,500,
3 \$257,652,000, to remain available until expended, of
4 which \$245,151,000 shall be derived from the Department
5 of the Interior Reclamation fund: *Provided*, That of the
6 amount herein appropriated, \$5,283,000 is for deposit
7 into the Utah Reclamation Mitigation and Conservation
8 Account pursuant to title IV of the Reclamation Projects
9 Authorization and Adjustment Act of 1992: *Provided fur-*
10 *ther*, That the Secretary of the Treasury is authorized to
11 transfer from the Colorado River Dam Fund to the West-
12 ern Area Power Administration \$4,556,000 to carry out
13 the power marketing and transmission activities of the
14 Boulder Canyon project as provided in section 104(a)(4)
15 of the Hoover Power Plant Act of 1984, to remain avail-
16 able until expended.

17 FALCON AND AMISTAD OPERATING AND MAINTENANCE
18 FUND

19 For operation, maintenance, and emergency costs for
20 the hydroelectric facilities at the Falcon and Amistad
21 Dams, \$1,000,000, to remain available until expended and
22 to be derived from the Falcon and Amistad Operating and
23 Maintenance Fund of the Western Area Power Adminis-
24 tration, as provided in section 423 of the Foreign Rela-
25 tions Authorization Act, fiscal years 1994 and 1995.

1 FEDERAL ENERGY REGULATORY COMMISSION
2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Energy Regu-
4 latory Commission to carry out the provisions of the De-
5 partment of Energy Organization Act (42 U.S.C. 7101,
6 et seq.), including services as authorized by 5 U.S.C.
7 3109, including the hire of passenger motor vehicles; offi-
8 cial reception and representation expenses (not to exceed
9 \$3,000); \$132,290,000, to remain available until ex-
10 pended: *Provided*, That notwithstanding any other provi-
11 sion of law, not to exceed \$132,290,000 of revenues from
12 fees and annual charges, and other services and collections
13 in fiscal year 1996, shall be retained and used for nec-
14 essary expenses in this account, and shall remain available
15 until expended: *Provided further*, That the sum herein ap-
16 propriated shall be reduced as revenues are received dur-
17 ing fiscal year 1996 so as to result in a final fiscal year
18 1996 appropriation estimated at not more than \$0.

19 TITLE IV
20 INDEPENDENT AGENCIES
21 APPALACHIAN REGIONAL COMMISSION

22 For expenses necessary to carry out the programs au-
23 thorized by the Appalachian Regional Development Act of
24 1965, as amended, notwithstanding section 405 of said
25 Act, and for necessary expenses for the Federal Co-Chair-

1 man and the alternate on the Appalachian Regional Com-
2 mission and for payment of the Federal share of the ad-
3 ministrative expenses of the Commission, including serv-
4 ices as authorized by section 3109 of title 5, United States
5 Code, and hire of passenger motor vehicles, to remain
6 available until expended, \$142,000,000.

7 DEFENSE NUCLEAR FACILITIES SAFETY
8 BOARD

9 SALARIES AND EXPENSES

10 For necessary expenses of the Defense Nuclear Fa-
11 cilities Safety Board in carrying out activities authorized
12 by the Atomic Energy Act of 1954, as amended by Public
13 Law 100-456, section 1441, \$17,000,000, to remain
14 available until expended.

15 NUCLEAR REGULATORY COMMISSION

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Commission in carry-
19 ing out the purposes of the Energy Reorganization Act
20 of 1974, as amended, and the Atomic Energy Act of 1954,
21 as amended, including the employment of aliens; services
22 authorized by section 3109 of title 5, United States Code;
23 publication and dissemination of atomic information; pur-
24 chase, repair, and cleaning of uniforms, official represen-
25 tation expenses (not to exceed \$20,000); reimbursements

1 to the General Services Administration for security guard
2 services; hire of passenger motor vehicles and aircraft,
3 \$468,300,000, to remain available until expended, of
4 which \$11,000,000 shall be derived from the Nuclear
5 Waste Fund: *Provided*, That from this appropriation,
6 transfer of sums may be made to other agencies of the
7 Government for the performance of the work for which
8 this appropriation is made, and in such cases the sums
9 so transferred may be merged with the appropriation to
10 which transferred: *Provided further*, That moneys received
11 by the Commission for the cooperative nuclear safety re-
12 search program, services rendered to foreign governments
13 and international organizations, and the material and in-
14 formation access authorization programs, including crimi-
15 nal history checks under section 149 of the Atomic Energy
16 Act of 1954, as amended, may be retained and used for
17 salaries and expenses associated with those activities, not-
18 withstanding 31 U.S.C. 3302, and shall remain available
19 until expended: *Provided further*, That revenues from li-
20 censing fees, inspection services, and other services and
21 collections estimated at \$457,300,000 in fiscal year 1996
22 shall be retained and used for necessary salaries and ex-
23 penses in this account, notwithstanding 31 U.S.C. 3302,
24 and shall remain available until expended: *Provided fur-*
25 *ther*, That the sum herein appropriated shall be reduced

1 by the amount of revenues received during fiscal year
2 1996 from licensing fees, inspection services and other
3 services and collections, excluding those moneys received
4 for the cooperative nuclear safety research program, serv-
5 ices rendered to foreign governments and international or-
6 ganizations, and the material and information access au-
7 thorization programs, so as to result in a final fiscal year
8 1996 appropriation estimated at not more than
9 \$11,000,000.

10 OFFICE OF INSPECTOR GENERAL

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses of the Office of Inspector
13 General in carrying out the provisions of the Inspector
14 General Act of 1978, as amended, including services au-
15 thorized by section 3109 of title 5, United States Code,
16 \$5,000,000, to remain available until expended; and in ad-
17 dition, an amount not to exceed 5 percent of this sum may
18 be transferred from Salaries and Expenses, Nuclear Regu-
19 latory Commission: *Provided*, That notice of such trans-
20 fers shall be given to the Committees on Appropriations
21 of the House and Senate: *Provided further*, That from this
22 appropriation, transfers of sums may be made to other
23 agencies of the Government for the performance of the
24 work for which this appropriation is made, and in such
25 cases the sums so transferred may be merged with the

1 appropriation to which transferred: *Provided further*, That
2 revenues from licensing fees, inspection services, and other
3 services and collections shall be retained and used for nec-
4 essary salaries and expenses in this account, notwithstand-
5 ing 31 U.S.C. 3302, and shall remain available until ex-
6 pended: *Provided further*, That the sum herein appro-
7 priated shall be reduced by the amount of revenues re-
8 ceived during fiscal year 1996 from licensing fees, inspec-
9 tion services, and other services and collections, so as to
10 result in a final fiscal year 1996 appropriation estimated
11 at not more than \$0.

12 NUCLEAR WASTE TECHNICAL REVIEW BOARD

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses of the Nuclear Waste Tech-
16 nical Review Board, as authorized by Public Law 100-
17 203, section 5051, \$2,531,000, to be transferred from the
18 Nuclear Waste Fund and to remain available until ex-
19 pended.

20 TENNESSEE VALLEY AUTHORITY

21 TENNESSEE VALLEY AUTHORITY FUND

22 For the purpose of carrying out the provisions of the
23 Tennessee Valley Authority Act of 1933, as amended (16
24 U.S.C. ch. 12A), including purchase, hire, maintenance,
25 and operation of aircraft, and purchase and hire of pas-

1 senger motor vehicles, \$103,339,000, to remain available
2 until expended.

3 TITLE V

4 GENERAL PROVISIONS

5 SEC. 501. Sec. 505 of Public Law 102–377, the Fis-
6 cal Year 1993 Energy and Water Development Appropria-
7 tions Act, and section 208 of Public Law 99–349, the Ur-
8 gent Supplemental Appropriations Act, 1986, are re-
9 pealed.

10 SEC. 502. Sec. 510 of Public Law 101–514, the Fis-
11 cal Year 1991 Energy and Water Development Appropria-
12 tions Act, is repealed.

13 SEC. 503. Without fiscal year limitation and notwith-
14 standing section 502(b)(5) of the Nuclear Waste Policy
15 Act, as amended, or any other provision of law, a member
16 of the Nuclear Waste Technical Review Board whose term
17 has expired may continue to serve as a member of the
18 Board until such member’s successor has taken office.

19 SEC. 504. None of the funds made available in this
20 Act may be used for any program, project, or activity,
21 when it is made known to the Federal entity or official
22 to which the funds are made available that the program,
23 project, or activity is not in compliance with any applicable
24 Federal law relating to risk assessment, the protection of
25 private property rights, or unfunded mandates.

1 SEC. 505. (a) PURCHASE OF AMERICAN-MADE
2 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
3 gress that, to the greatest extent practicable, all equip-
4 ment and products purchased with funds made available
5 in this Act should be American-made.

6 (b) NOTICE REQUIREMENT.—In providing financial
7 assistance to, or entering into any contract with, any en-
8 tity using funds made available in this Act, the head of
9 each Federal agency, to the greatest extent practicable,
10 shall provide to such entity a notice describing the state-
11 ment made in subsection (a) by the Congress.

12 SEC. 506. None of the funds made available in this
13 Act may be used to revise the Missouri River Master
14 Water Control Manual when it is made known to the Fed-
15 eral entity or official to which the funds are made available
16 that such revision provides for an increase in the spring-
17 time water release program during the spring heavy rain-
18 fall and snow melt period in States that have rivers drain-
19 ing into the Missouri River below the Gavins Point Dam.

20 SEC. 507. The amount otherwise provided in this Act
21 for the following account is hereby reduced by the follow-
22 ing amount:

23 (1) “Nuclear Waste Disposal Fund”, aggregate
24 amount, \$1,000.

1 SEC. 508. None of the funds made available in this
2 Act for the Army Corps of Engineers Upper Mississippi
3 River-Illinois Waterway System Navigation Study may be
4 used to study any portion of the Upper Mississippi River
5 located above Lock and Dam 14 at Moline, Illinois, and
6 Bettendorf, Iowa, except that the limitation in this section
7 shall not apply to the conducting of any system-wide envi-
8 ronmental baseline study pursuant to the National Envi-
9 ronmental Policy Act.

10 This Act may be cited as the “Energy and Water De-
11 velopment Appropriations Act, 1996”.

Passed the House of Representatives July 12, 1995.

Attest:

ROBIN H. CARLE,

Clerk.

HR 1905 RFS——2

HR 1905 RFS——3